

REMARKS

Claims 1-18 currently appear in this application. The Office Action of June 14, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 1 and 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claims 1, 7 and 10 have been amended to recite "acetylcholinesterase" rather than "enzyme." Claim 7 has been amended to recite that when the package is opened the acetylcholinesterase is exposed to ambient conditions to begin the test. Claim 10 has been amended to recite that the package is a semipermeable polyethylene bag that is opened to expose the acetylcholinesterase to the inhibitor to commence the enzyme assay.

Art Rejections

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kok et al., *J. Biomater. Sci. Polymer Edn* vol. 12(11): 1161-1176 (2001).

This rejection is respectfully traversed. Claim 1 has been amended to delete membrane as the immobilizer for acetylcholinesterase.

Claims 7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kok et al. in view of Strobel et al., U.S. 5,766,473.

This rejection is respectfully traversed. Strobel discloses storing oxygen scavengers in a polyethylene bag containing desiccant. However, there is no desiccant in the detector claimed herein. Moreover, Strobel et al. disclose hydrophilic porous supporting structures loaded with an enzyme system that catalyses a reaction of a substrate, oxygen and, if necessary, water or moisture. Kok merely discloses acetylcholinesterase and choline oxidase on a membrane for biosensor construction. It is respectfully submitted that one skilled in the art would not look to a packaging for an enzyme immobilized on a hydrophilic porous supporting structure for oxygen scavenging in a package to arrive at a detector for organophosphorus or carbamate compounds.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references applied to claims 7, 9 and 10 above, and further in view of Stanford et al., U.S. 7,008,524.

This rejection is respectfully traversed. Stanford discloses a sensor that includes a dielectric substrate, a plurality of interdigitated electrodes attached to the substrate, a film applied over the interdigitated electrodes, and one or more indicator molecules incorporated within the film, which might be a sol-gel. The film is disclosed in the abstract to be a hybrid polymer-based conducting film. Claim 1 recites that the film onto which the enzyme is immobilized comprises a conductive polymer and a first and a second sol-gel material. There is no suggestion that this hybrid polymer-based conducting film is the equivalent of a single sol-gel or a membrane. Therefore, one skilled in the art would have no motivation to combine Stanford with the previously cited references to arrive at the here-claimed invention.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Stanford et al.

This rejection is respectfully traversed. It should be noted from claim 1 of Stanford that the film on which the enzyme is immobilized comprises a conductive polymer and a

first and second sol-gel derived material. This is not at all the same as the detector claimed herein, which only includes a single sol-gel or membrane.

Claims 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford et al. in view of Strobel et al.

This rejection is respectfully traversed. As noted above, the enzyme in Stanford is immobilized in a combination of two sol-gel materials and an electrically conducting film. Since the enzyme immobilized as claimed herein is only immobilized on a single sol-gel, there would be no motivation to place the immobilized enzyme of Stanford into a polyethylene bag.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claims 7, 8 and 10 above, and further in view of Kok et al.

This rejection is respectfully traversed. There is nothing in either Kok or Stanford that teaches or suggests that a combination of two sol-gels and an electrically conducting film are the equivalent of a membrane.

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In view of the above, it is respectfully submitted  
that the claims are now in condition for allowance, and  
favorable action thereon is earnestly solicited.

Respectfully submitted,

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